

Remarks

Reconsideration of this application as amended is respectfully requested. Claims 1-5 and 7-11 are in this application and are presented for the Examiner's consideration in view of the following comments.

Claims 1-4, 8 and 11 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,133,910 issued October 17, 2000 to Stinebruner (*Stinebruner*). Applicants respectfully do not agree.

Stinebruner discloses a video system utilizing a virtual tuner that integrates signals from multiple video sources to provide a plurality of "virtual channels". (*Stinebruner*, col. 2, lns. 29-20.) These virtual channels may be programmed in a number of ways. For example, automatic programming routines may be implemented to automatically detect viewable channels within an available bandwidth. (*Stinebruner*, col. 11, lns. 19-28.) Or, a user may input a location identifier for obtaining local channel information, for example by downloading from an external source. The information from an external source may be encoded within a video stream, provided in a separate broadcast signal or over a network or telephone line. (*Stinebruner*, col. 11, ln. 36 to col. 12, ln. 3.) In the preferred Localize routine 160 illustrated in Figure 10 this information is used to program a block of unused virtual channels. (*Stinebruner*, col. 13, lns. 17-18.) As such, the system described in *Stinebruner* transmits local channel information completely within a single signal (so to speak in one block) for all local channels available in a specific local area. Furthermore, this requires that adapted local channel information is provided by a service provider, etc., and that the location of the system has to be determined, for example from a telephone number or ZIP code entered by the user.

To this effect the system described in *Stinebruner* is similar to the system described in U.S. Patent No. 5,987,213 issued November 16, 1999 to Mankovitz et al. (*Mankovitz*) (discussed in Applicants' reply filed May 14, 2004) where an initial set up procedure has to be performed where a local channel map may be downloaded using a telephone line based on the user's ZIP code.

In contrast, Applicants' claimed invention is different. According to the invention as claimed, a satellite receiver is tuned to a selected program place thus receiving a television signal corresponding to a single channel, e.g., CNN. The TV signal received on this selected program place, e.g., the CNN program, is transmitted from the satellite receiver to the television receiver. A channel identifying information within this transferred TV signal is detected, e.g., the channel identifying information identifies the current channel as the CNN channel. Thus, the television receiver is able to determine the channel on the selected program place of the satellite receiver. An information assigning the determined channel to the selected program place can thus be stored. Thus, contrary to *Stinebruner*, Applicants' claimed invention allows the use of program places of a satellite receiver by means of a television receiver a) without the need to provide different local channel information for different local areas and b) without the need to enter an information for localizing the video system.

In view of the above, the system described in *Stinebruner* does not describe Applicants' claimed detecting a channel identifying information within a TV signal transferred from a satellite receiver. *Stinebruner* also does not describe Applicants' claimed determining the channel on a selected program place of the satellite receiver from the channel identifying information. Furthermore, *Stinebruner* does not describe Applicants' claimed storing an information assigning the determined channel to that selected program place of the satellite receiver.

Applicants' note that the Examiner states that *Stinebruner*

discloses automatic programming of channel memory of all detected viewable channels (Col. 11, Lines 221-32) and that channel information may be encoded within the video stream of the satellite signal (Col. 11, Lines 57-610).

Office Action, p. 3.

However, Applicants' respectfully submit that the Examiner's characterization of *Stinebruner* in terms of Applicants' claimed invention is in error. For example, detecting whether a channel is viewable has nothing to do Applicants' claimed detecting a channel identifying information within a TV signal. As such, the fact that *Stinebruner* describes automatic programming of channel memory simply because a viewable channel is detected does not describe Applicants' claimed invention. Further,

the Examiner's cited reference to an encoded video stream is with respect to the description in *Stinebruner* of retrieving local channel information. Again, as an example, this does not describe Applicants' claimed detecting a channel identifying information within a TV signal. Indeed, Applicants' note that while FIG. 2 of *Stinebruner* clearly shows a "channel ID", *Stinebruner* itself describes that this "channel ID" is merely additional information. (*Stinebruner*, col. 5, lns. 52-55.) Applicants' request specifically where *Stinebruner* describes, e.g., Applicants' claimed detecting a channel identifying information within a TV signal.

Further, Applicants also note the following comment by the Examiner:

[i]t is inherent that in order to automatically program memory that there be means implemented to detect this channel identifying information which is embedded with the transferred TV[,] signal.

Office Action, p. 3.

Again, the Examiner is wrong for a number of reasons. First, *Stinebruner* itself describes the channel identifying information as additional information that may also be associated. *Stinebruner*, col. 5, lns. 54-55. Since this channel identifying information is only optional, Applicants cannot agree that the use of channel identifying information in *Stinebruner* is now inherent. Second, *Stinebruner* itself does not describe where this channel identifying information comes from. Applicants submit it could just as easily be manually entered by a user. (For example, see *Stinebruner* col. 11, ln. 31.) As such, use by the system described in *Stinebruner* is, again, not inherent. Third, and as noted earlier, detecting that a channel is present does not require the use of any channel identifying information in the context of Applicants' claimed invention. For example, consider U.S. Patent No. 4,387,401 issued June 7, 1983 to Henderson et al. and entitled "Carrier detector apparatus useful in a multiband sweep type tuning system." As such, the Examiner's assertion that the use of channel identifying information as claimed by Applicants is inherent in *Stinebruner* is without support.

In view of the above, independent claim 1 is not anticipated by *Stinebruner*. Similar comments apply to independent claim 11. In addition, dependent claims 2 to 5

and 7 to 10, which depend from claim 1, are also considered to be patentable for the reasons given above.

Claims 5, 7 and 9 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Stinebruner*. Applicants respectfully traverse for the reasons described above with respect to independent claim 1.

Claim 10 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Stinebruner* in view of U.S. Patent No. 5,625,422 issued April 29, 1997 to Kim. Applicants respectfully traverse for the reasons described above with respect to independent claim 1.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone Applicants' attorney in order to overcome any additional objections that the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 07-0832 therefor.

Respectfully submitted
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I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop AF, Commissioner for Patents, Box 1450, Alexandria, Virginia 22313-1450 on:

October 19, 2004

Date

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